

Message Text

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PAGE 01 STATE 010465

43

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E.O. 11652: GDS

TAGS: SOCI, UN, UK

SUBJECT: HUMAN RIGHTS COMMISSION - COMPLAINTS AGAINST UK

1. AT THE NEXT REGULAR SESSION OF THE UN COMMISSION ON HUMAN RIGHTS (HRC), SCHEDULED TO MEET AT UN HEADQUARTERS FEBRUARY 4-MARCH 8, ONE AGENDA ITEM OF SPECIAL INTEREST WILL CONCERN NEW PROCEDURES FOR CONSIDERING PRIVATE COMPLAINTS. THIS WILL BE FIRST OCCASION FOR HRC TO ACT UNDER NEW PROCEDURES. BOTH US AND UK ARE MEMBERS HRC.

2. NEW PROCEDURES WERE LAID DOWN IN 1970 BY UN ECONOMIC AND SOCIAL COUNCIL (ECOSOC). UNDER ECOSOC RESOLUTION 1503, HRC SUBCOMMISSION ON DISCRIMINATION AND MINORITIES AUTHORIZED TO REVIEW THOUSANDS OF PRIVATE HUMAN RIGHTS COMPLAINTS RECEIVED EACH YEAR BY UN. IF REVIEW REVEALS PARTICULAR SITUATIONS INVOLVING A "CONSISTENT PATTERN OF GROSS AND RELIABLY ATTESTED VIOLATIONS OF HUMAN RIGHTS," SUBCOMMISSION MAY REFER SUCH SITUATIONS TO ATTENTION OF COMMISSION ON HUMAN RIGHTS. HRC IN TURN MAY EITHER STUDY SUCH SITUATIONS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 010465

AND REPORT AND MAKE RECOMMENDATIONS THEREON TO ECOSOC,

OR INSTITUTE A SPECIAL AD HOC INVESTIGATION. AD HOC INVESTIGATIONS MAY BE UNDERTAKEN ONLY WITH CONSENT OF THE STATE CONCERNED. ALL PROCEEDINGS RELATING TO PROCEDURES UNDER ECOSOC RESOLUTION 1503 ARE CONFIDENTIAL BOTH IN SUBCOMMISSION AND IN HRC UNTIL SUCH TIME AS HRC DECIDES TO MAKE RECOMMENDATIONS TO ECOSOC.

3. AT 26TH REGULAR SESSION OF SUBCOMMISSION, HELD IN SEPTEMBER 1973, EIGHT COUNTRIES WERE CITED FOR ALLEGED HUMAN RIGHTS VIOLATIONS UNDER NEW PROCEDURES, OF WHICH ONE WAS UK. SUBCOMMISSION'S ACTION APPEARS TO HAVE BEEN BASED CHIEFLY ON AMNESTY INTERNATIONAL'S REPORT ON ILL TREATMENT IN NORTHERN IRELAND, ALLEGED TO HAVE BEEN CARRIED OUT BY UK SECURITY FORCES.

4. AS OF PRESENT DATE USG HAS RECEIVED NO OFFICIAL DOCUMENTATION ON THE MATTER WHICH IS TO BE BEFORE HRC. OUR ONLY SUBSTANTIVE INFORMATION IS BASED UPON REPORTS SUPPLIED BY US EXPERT MEMBER OF SUBCOMMISSION. PRESUMABLY, UK GOVT HAS BEEN INFORMED OF SUBCOMMISSION'S ACTION AND OF FACT THAT HRC WILL BE PRESENTED WITH EVIDENCE AND ALLEGATIONS UNDERLYING SUBCOMMISSION'S REFERRAL.

5. IN LOOKING FORWARD TO POSITION USREP ON HRC WILL TAKE, DEPT WOULD FIND IT HELPFUL AT THIS STAGE TO KNOW VIEWS OF HMG. EMBASSY REQUESTED DISCUSS SUBJECT AT APPROPRIATE LEVEL FCO. WE PARTICULARLY INTERESTED TO KNOW HOW HMG INTENDS RESPOND TO COMPLAINTS - WHETHER IT INTENDS RAISE ANY PROCEDURAL OBJECTIONS OR SUGGESTIONS. DEPT IS NOT SURE WHETHER HMG HAS BEEN AFFORDED OPPORTUNITY TO COMMENT UPON ALLEGATIONS WHICH WERE PRESENTED TO SUBCOMMISSION. DEPT VIEW IS THAT IN EACH CASE GOVERNMENT CONCERNED MUST BE AFFORDED FULL OPPORTUNITY TO PRESENT ITS VIEWS BEFORE HRC DECIDES ON PROCEDURE TO FOLLOW. RUSH

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